



3. Defendant admits the allegations contained in paragraph 9.

4. The allegations in the paragraph 11 merely contain recitals or state legal conclusions to which no responsive pleading is required.

#### **Jurisdiction and Venue**

5. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegation that the court has subject matter jurisdiction pursuant to 15 U.S.C. § 1640 (Truth in Lending Act) or 18 U.S.C. § 1964 (RICO), as alleged in paragraph 12.

6. Defendant admits the allegations contained in paragraph 13.

7. Defendant lacks knowledge or information sufficient to form a belief about the residencies and locations of the other named parties as recited as alleged in paragraphs 14-16. As such, the allegations are denied.

8. Defendant lacks knowledge or information sufficient to form a belief about the facts in support of venue as recited as alleged in paragraph 17. As such, the allegations are denied.

#### **Factual Allegations**

7. Defendant denies the allegations contained in paragraphs 18-28.

8. Defendant lacks knowledge or information sufficient to form a belief about the allegations contained in paragraph 29. As such, the allegations are denied.

9. Defendant denies the allegations contained in paragraphs 29-47.

10. Defendant lacks knowledge or information sufficient to form a belief about the allegations contained in paragraphs 48-51. As such, the allegations are denied.

11. Defendant denies the allegations contained in paragraphs 52-71.

12. Defendant lacks knowledge or information sufficient to form a belief about the allegations contained in paragraphs 72-82. As such, the allegations are denied.

13. Defendant denies the allegations contained in paragraphs 83-139.

**Causes of Action and Prayer for Relief**

14. Defendant denies the factual allegations which are contained within paragraphs 140-182.

**AFFIRMATIVE DEFENSES**

15. **First Affirmative Defense.** Plaintiffs' Original Complaint fails to state a cause of action upon which relief may be granted.

16. **Second Affirmative Defense.** Plaintiff failed to mitigate or reasonably attempt to mitigate their alleged damages, if any, as required by law.

17. Defendant reserve its right to assert any additional defenses to Plaintiff's claims as they become known during the course of this litigation.

**WHEREFORE,** Defendant respectfully requests that Plaintiff take nothing by his suit, that their costs of suit be awarded against Plaintiff, and for such other and further relief, both at law and in equity, to which they may show themselves justly entitled.

Respectfully submitted,

**J. Nathan Overstreet & Assoc., P.C.**

/s/ J. Nathan Overstreet

James Nathan Overstreet

State Bar No. 00784706

8711 Highway 6 North, Suite #230

Houston, Texas 77095

(281) 855-1000

Fax (281) 855-4580

[overstreetlawfirm@gmail.com](mailto:overstreetlawfirm@gmail.com)

Attorneys for Defendant

**SpaceWater Systems, LLC**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing pleading has been served on the following parties according to the Federal Rules of Civil Procedure electronically on this the 24<sup>th</sup> day of April, 2020, to:

Texas RioGrande Legal Aid  
Amy E. Clark  
4920 N. IH-35  
Austin, Texas 78752  
(512) 374-2782  
[aclark@trla.org](mailto:aclark@trla.org)

Lisa Y. Guerra  
301 S. Texas Ave.  
Mercedes, Texas 78570  
(956) 447-4803  
[lguerra@trla.org](mailto:lguerra@trla.org)

Eva D. Sikes  
1206 E. Van Buren Street  
Brownsville, Texas 78520  
(956) 982-5540  
[esikes@trla.org](mailto:esikes@trla.org)

/s/ J. Nathan Overstreet  
James Nathan Overstreet